

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Mr. Christopher L. Atchison
103 Boiling Road
Greenville, SC 29611

SCDOI File Number 2005-125084

**Consent Order
Imposing Administrative Penalty**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and the above named respondent, a licensed South Carolina resident Professional surety Bail Bondsman.

Upon review of this matter, I hereby find as fact that Christopher L. Atchison d/b/a Atchison Bonding Company did fail to submit his April monthly Bond report to the Greenville County Clerk of Court. The respondent acknowledges this, but contends this failure resulted from inadvertence and oversight and not from any intent to avoid the requirements of the law. Nevertheless, these actions can ultimately lead to the revocation of his license to transact the business of surety bail bondsman in South Carolina, following a public hearing at the Administrative Law Judge Division pursuant to S.C. Code Ann. § 38-53-160 (Supp.2004).

Rather than awaiting the outcome of impending administrative disciplinary proceedings against him, Christopher Atchison and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision. The consensual recommendation was that in lieu of the Department seeking to suspend or revoke Mr. Atchison's license, he would waive his right to a public hearing, and pay an administrative penalty in the amount of \$250.00 dollars, to our Department.

Section 38-53-310 of the South Carolina Code of Administrative Laws states in pertinent part: "Each professional or surety bondsman shall by the fifteenth of each month file with the clerk of court of the county of his principal place of business a written report in a form prescribed by the Director or his designee regarding all bail bonds on which he is liable as of the first day of each month."

After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Christopher Atchison did violate S.C. Code Ann. § 38-53-310 (Supp. 2004). As a result, I can now take administrative disciplinary action against his resident surety bondsman's license. However, under the discretionary authority provided to me within S.C. Code Ann. § 38-53-150(B)(Supp.2004), and after carefully considering the recommendation of the parties, I hereby impose against Mr. Atchison an administrative penalty in the amount of \$250.00 dollars. If he fails to pay that amount within ten days upon receipt of this Order, his license to transact business as a professional bail bondsman will be revoked without any further disciplinary proceedings.

The parties have reached this agreement through negotiation and compromise and in consideration of the nature of the violation and of Mr. Atchison's assurances that in the future he will comply with all of the State's insurance laws. The parties expressly agree and understand that payment of the fine shall constitute full accord and satisfaction of this matter.


By his signature upon this consent order, Christopher Atchison acknowledges that he understands that this administrative order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2004).

Nothing contained within this administrative order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained within this administrative order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110(3) (Supp. 2004), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is, therefore ordered, that Christopher Atchison shall pay an administrative penalty in the amount of \$250.00 dollars.

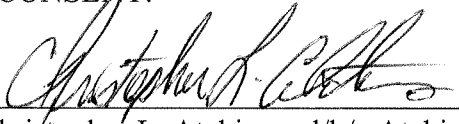
It is further ordered that a copy of this consent order be placed in his licensing file.

This consent order becomes effective as of the date of my signature below.


Eleanor Kitzman
Director

Oct 6, 2005, at
Columbia, South Carolina

I CONSENT:

A handwritten signature in black ink, appearing to read "Christopher L. Atchison", written over a horizontal line.

Christopher L. Atchison, d/b/a Atchison Bonding Company
103 Boiling Road
Greenville, South Carolina 29611.

Dated this 30th day of Sept, 2005.